

**ZB# 83-42**

**John A. Petro**

**15-2-20**

83-42 - Petw, John A.

Prelim. meeting:

12/12/83.

Public Hearing:

1/9/84 - Use Varian  
Granted for multi-fam.

Notice to

Sentinel

on 12/14/83 ✓

(838.75)

**General Receipt** 5584

**TOWN OF NEW WINDSOR**  
 555 Union Avenue  
 New Windsor, N. Y. 12550

Received of John A. Petro Jan 17 1984 \$25.00

Twenty-five DOLLARS

For Filing fee - Zoning Variance 83-42

DISTRIBUTION:

FUND	CODE	AMOUNT
Check		25.00
#2010		

By Pauline Townsend  
Town Clerk  
 Title

Williamson Law Book Co., Rochester, N. Y. 14609

**JOHN A. PETRO**  
**MARTHA PETRO**  
 8 PARKHILL DRIVE 561-6519  
 NEW WINDSOR, NY 12550

2011

50-174  
219

Dec 14 1983

PAY TO THE ORDER OF Cash \$65.00  
Sixty-five and 00/100 DOLLARS

**HIGHLAND NATIONAL BANK**  
A NORSTAR BANK  
 VAL'S GATE OFFICE  
 ROUTE 32 & OLD TEMPLE HILL ROAD  
 VAL'S GATE, N.Y. 12584

FOR Myrtle Ave Postage & Cost Martha Petro

⑆021901748⑆ ⑆012 1207 9⑆07

FUND	CODE	AMOUNT
Check		2500
#2010		

Williamson Law Book Co., Rochester, N. Y. 14609

By Pauline Townsend  
Town Clerk  
 Title

JOHN A. PETRO  
 MARTHA PETRO  
 8 PARKHILL DRIVE 561-6519  
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FOR Myrtle Ave Postage & Cart. Martha Petro

⑆021901748⑆ ⑈012 1207 9⑈07

15-2-26



ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X

In the Matter of the Application of

JOHN A. PETRO,

DECISION GRANTING  
USE VARIANCE

# 83-42.

-----X

WHEREAS, JOHN A. PETRO of 8 Park Hill Drive,  
New Windsor, N. Y., has made application before the  
Zoning Board of Appeals for a use variance for the purposes of:  
multi-family dwelling (4 apartments) in a one-family residential (R-4) zone,  
at intersection of Foley Avenue and Myrtle Avenue, New Windsor;  
and

WHEREAS, a public hearing was held on the 9th day of  
January, 1984 at the Town Hall, 555 Union Avenue, New  
Windsor, New York; and

WHEREAS, applicant appeared in his own behalf  
\_\_\_\_\_ ; and

WHEREAS, the application was unopposed ; and

WHEREAS, the Zoning Board of Appeals of the Town of New  
Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents  
and businesses as prescribed by law and published in The Sentinel, also  
as required by law.

2. The evidence shows: that applicant has a pre-existing  
two-family dwelling located at the intersection of Foley and Myrtle  
Avenues in a one-family residential area.

3. The evidence shows: that applicant has had two vacant  
apartments in the building in addition to the pre-existing two apartments.  
However, the additional apartments have never been rented or leased to  
tenants previously and do not have pre-existing status under Zoning Local  
Law.

4. The evidence shows: that applicant has ample parking  
for at least 20 automobiles at the premises

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The evidence indicates that the aforesaid circumstances or conditions are such that the strict application of the provisions of the local law would deprive the applicant of the reasonable use of such land or building.

2. The evidence indicates that the plight of the applicant is due to unique circumstances and not to general conditions suffered by other persons within the same zone.

3. The evidence shows that the application as presented does not alter the essential character of the neighborhood.

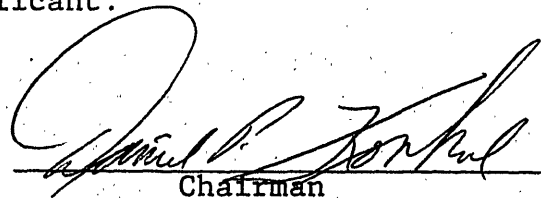
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grants a use variance as applied for and in connection with plans presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: January 23, 1984.

  
Chairman



1763

## TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

John A. Petro

(25 on list)

25 R.R.

✓ De Fabio Vincent R & Rose D  
1 Foley Ave  
New Windsor NY 12550 510 083 123✓ Mastrorocco Edward & Rita  
6 June Rd  
Newburgh NY 12550 610 083 124✓ Crudele James & Elvira  
90 Myrtle Ave  
New Windsor NY 12550 510 083 125✓ Spoto Alfonso & Rosalia  
118 Myrtle Ave  
New Windsor NY 12550 126✓ Di Chiaro Vincent & Theresa  
122 Myrtle Ave  
New Windsor NY 12550 127✓ Yonnone Gus J & Anna  
82 Merline Ave  
New Windsor NY 12550 128✓ Dougherty William F Jr & Susan M  
88 Merline Ave  
New Windsor NY 12550 129✓ Gilfeather Robert J & Rose H  
90 Merline Ave  
New Windsor NY 12550 130✓ Komar John  
96 Merline Ave  
New Windsor NY 12550 131✓ Carlstrom James J & Anna R  
106 Merline Ave  
New Windsor NY 12550 132✓ Vignogna Daniel Sr & Margaret C  
111 Myrtle Ave  
New Windsor NY 12550 133✓ Petro Elizabeth 134  
109 Myrtle Ave  
New Windsor NY 12550✓ Petro William & Shirley  
101 Myrtle Ave  
New Windsor NY 12550 135✓ Jollie Edward L  
32 Willow Lane 136  
New Windsor NY 12550✓ Hotaling Richard & Mary Ann  
95 Myrtle Ave  
New Windsor NY 12550 137✓ Mott Arthur D & Clara  
91 Myrtle Ave  
New Windsor NY 12550 138✓ Homin John F & Frances  
91 Merline Ave  
New Windsor NY 12550 139✓ Hotaling Howard & Josephine  
14 Goodman Ave  
New Windsor NY 12550 140Virgillo Mary R  
c/o Lavallee  
16 Goodman Ave 141  
New Windsor NY 12550✓ Salamotoff Connie  
78 Windsor Highway 142  
New Windsor NY 12550✓ Naclerio John & Stephanie  
87 Merline Ave  
New Windsor NY 12550 143✓ Ruscitti Joseph & Ida  
PO Box 227  
Walden NY 12586 144 38.75



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

✓ Cherry Allen R & Ruth  
118 Cedar Ave  
New Windsor NY 12550

145

✓ New Windsor Little League  
PO Box 4024  
New Windsor NY 12550

146

✓ Town of New Windsor  
555 Union Ave  
New Windsor NY 12550

147

1/9/84 - Public Hearing - Petro, John A.

Name:

Address:

J. Homari

91 Mainline Ave.

Joe Ruscitti

35 Walnut St

Vincent R. DeSantis FOLEY AVE

Rita Mastroiocco Foley Ave

William Petro 101 Myrtle Ave



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK  
(914) 565-8550

*File*

Date: January 11, 1984

Mr. John A. Petro  
8 Park Hill Drive  
New Windsor, NY 12550

RE: APPLICATION BEFORE ZONING BOARD OF APPEALS  
# 83-42 - PETRO, JOHN A. - Use Variance

Dear Mr. Petro:

This is to confirm that your above application before the  
New Windsor Zoning Board of Appeals was Granted  
at a meeting held on the 9th day of January, 1984.

A formal decision will be drafted and acted upon at a later  
date. You will be receiving a copy of same by return mail.

Meanwhile, if you have any further questions, please do not  
hesitate to call me.

Yours very truly,

*Patricia Delio*

PATRICIA DELIO, Secretary  
New Windsor Zoning Board of Appeals

/pd

cc: Patrick Kennedy, Bldg/Zoning Inspector  
Town Planning Board

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals  
of the TOWN OF NEW WINDSOR, New York will hold a  
Public Hearing pursuant to Section 48-34A of the  
Zoning Ordinance on the following proposition:

Appeal No. 42

Request of JOHN A. PETRO

for a VARIANCE ~~SPECIAL PERMIT~~ of  
the regulations of the Zoning Ordinance to  
permit MULTIPLE-FAMILY DWELLING IN ONE-FAMILY  
RESIDENTIAL (R-4) ZONE

being a VARIANCE ~~SPECIAL PERMIT~~ of  
Section 48-9 - Table of Use Regulations, Col. A  
for property situated as follows:

Myrtle Avenue and Foley Avenue Intersection,  
Town of New Windsor, N. Y.

SAID HEARING will take place on the 9th day of  
January, 19 84, at the New Windsor Town Hall,  
555 Union Avenue, New Windsor, N. Y. beginning at  
7:30 o'clock P. M.

RICHARD FENWICK  
Chairman

Prelim meeting:  
12/12/83 -  
7:30.

(2)

TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

83-42.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. ....

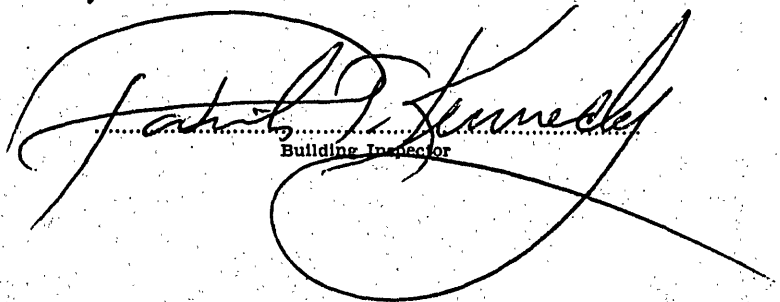
Date December 5, 1983

To John A. Petro 561-6519  
8 Park Hill Dr  
New Windsor, N.Y. 12550

PLEASE TAKE NOTICE that your application dated December 5, 1983  
for permit to Remodel existing structure for multifamily dwellings  
at the premises located at Myrtle Ave and Foley Ave.

is returned herewith and disapproved on the following grounds:

Non-Conforming use: Existing building is in an R-4 single family  
residential zone and is being used as a 2 family residence. (shows as  
Two family on Tax roll)  
Applicant wants to remodel existing unused space and  
create Two more dwelling units.

  
Building Inspector



INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
TOWN BUILDING/ZONING INSPECTOR KENNEDY

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARINGS BEFORE ZBA  
1/9/84

DATE: December 14, 1983

Please be advised that the following public hearings are scheduled to be heard before the ZBA on January 9, 1984:

Application of D'EGIDIO, DOMINICK

Application of PETRO, JOHN A.

I have attached hereto copies of the pertinent applications together with the public hearing notices which appeared in THE SENTINEL.

Pat

/pd

Attachments

100 1/2 1/87

(Note: The ZBA meets every 2nd and 4th Mon. of each month, except July and August.)

83-42

PROCEDURE FOR PUBLIC HEARING

In order to prepare for a public hearing before the Zoning Board of Appeals, the applicant must first prepare a public hearing notice, publication to appear in THE SENTINEL once at least ten (10) days prior to the public hearing date. When notice has been prepared, return it to the Zoning Board Secretary (Address below) so that she may transmit it to the newspaper in a timely manner. The cost of the publication is at the applicant's expense. The applicant, upon paying for the published notice, will receive an affidavit of publication. Three (3) copies of the application must also be completed and returned to the Secretary. NO PUBLIC HEARING DATE WILL BE SCHEDULED UNTIL ALL PAPERWORK IS COMPLETED AND RETURNED TO SECRETARY.

Registered or certified letters are to be sent to all property owners within a radius of 500 ft. from the subject property. This list may be obtained from the Town Assessor's office for a fee which is determined by the Town Assessor. Her office is located in the Town Hall. PLEASE ALLOW THE ASSESSOR'S OFFICE AT LEAST ONE WEEK TO PREPARE AND RETURN THE LIST. All registered or certified letters must have return receipts. All return receipts, copy of published notice, affidavit of publication from newspaper, copy of site plan with measurements, must be presented to the Secretary at the public hearing by the applicant. The list from the Assessor's Office, or copy thereof, must also be presented to the Secretary at the public hearing as part of the record. You may use the form Notice of Public Hearing as your letter of transmittal to all of the property owners within 500 ft. radius of the property in question. The letters must be postmarked at least ten (10) days previous to the public hearing.

**Fees:** A fee of \$50.00, payable to the TOWN OF NEW WINDSOR, must accompany all applications for commercial use. A fee of \$25.00 is required for residential applications. All fees are due at the time the applications are returned to the Secretary.

Please have your attorney determine whether Section 239 1 and m of the General Municipal Law is applicable, and if so, send a copy of your application with plans attached, to: Orange County Planning Dept., 124 Main Street, Goshen, New York 10924. The applicant must notify the Orange County Planning Dept., if applies, sufficiently in advance of the public hearing to permit that Board time to review the application and advise the ZBA.

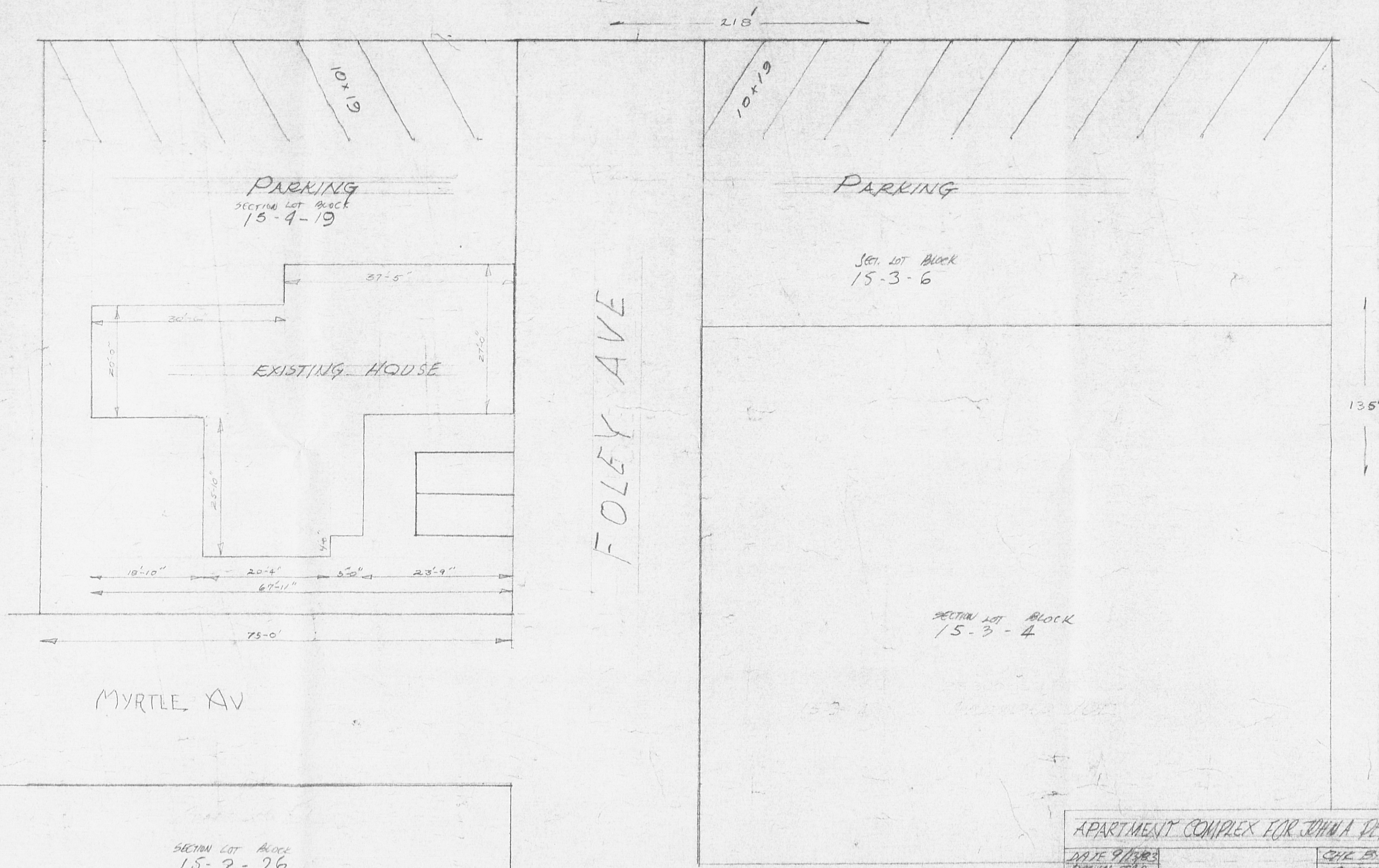
RETURN ALL PAPERWORK PROMPTLY TO:

PATRICIA DELIO, Secretary  
New Windsor Zoning Board of Appeals  
555 Union Avenue - Town Hall  
New Windsor, N.Y. 12550 - 565-8550 (914)

Applicant's check list: (Return all to Secretary)

1. Three copies of application, site plans and maps.
2. Public Hearing notice (immediately)
3. Town Assessor's list.
4. Green cards (return receipts).
5. Fee for application.
6. Affidavit of publication from newspaper.





MYRTLE AV

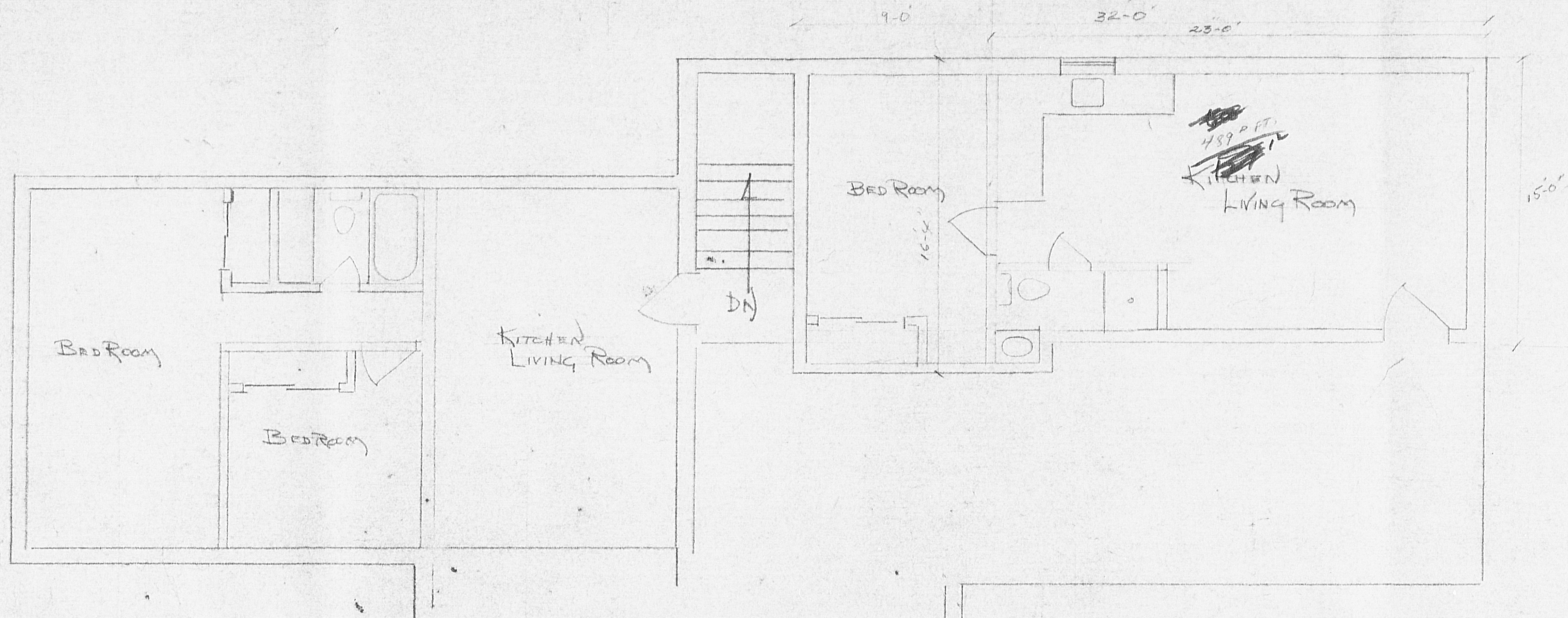
FOLEY AVE

SECTION LOT BLOCK  
15-2-26

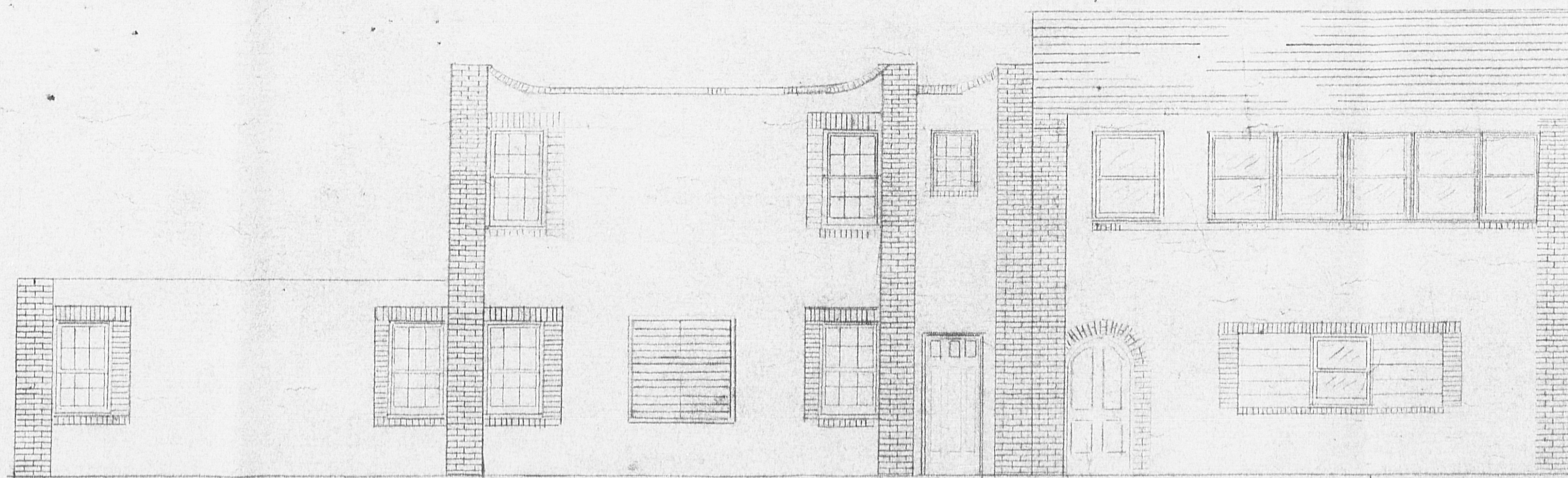
SCALE 1/4" = 10'

APARTMENT COMPLEX FOR JOHN A. DETRO	
DATE 9/13/83	CHK BY:
DRAWN TAP	REUSON
SITE PLAN	
1/3	





PLAN TOP FL.  
SCALE 1/4" = 1'-0"



ELEVATION  
SCALE 1/4" = 1'-0"

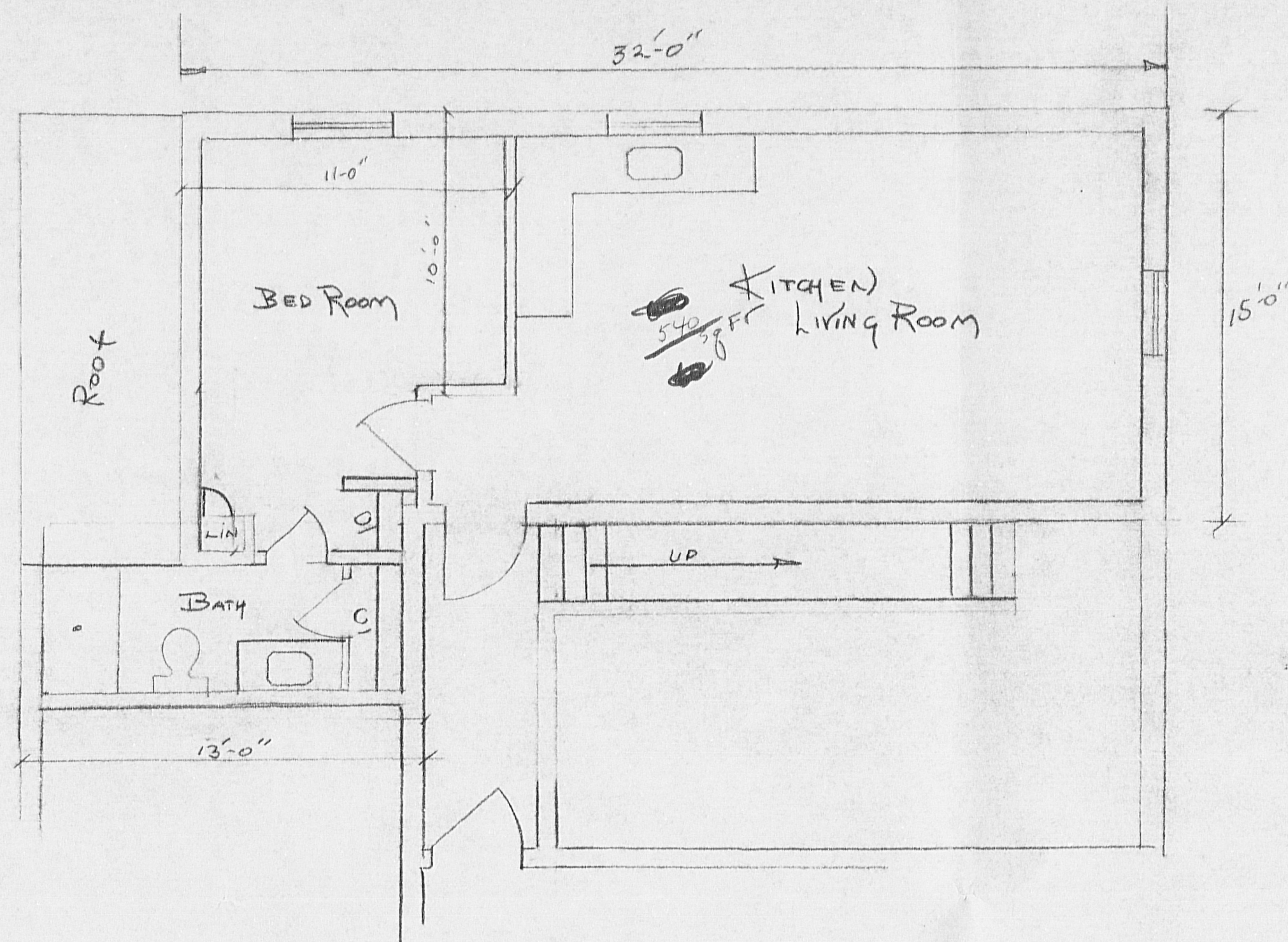
APARTMENT COMPLEX FOR JOHN A. PETRO

DATE: 9/3/62  
DRAWN: JAP

CHK BY:  
REV:

ELEVATION & PLAN VIEWS





PLAN BOTTOM FLOOR  
SCALE 1/4" = 1'-0"

APARTMENT COMPLEX FOR JOHN A. PETRO

DATE 9/13/83  
DRAWN BY JAP

CHECK BY:  
REVISION:

P.LAN BOTTOM FLOOR